



MARYLAND DEPARTMENT OF THE ENVIRONMENT  
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Parris N. Glendening  
Governor

Jane T. Nishida  
Secretary

August 3, 1995

Mr. Jeff Kidwell  
LANTDIV  
Naval Facilities Engineering Command  
1510 Gilbert Street  
Norfolk, Virginia 23511-2699

RE: State Applicable or Relevant and Appropriate Requirements (ARARs)  
for Allegany Ballistics Laboratory

Dear Mr. Kidwell:

Enclosed is the Maryland Department of the Environment, Waste Management Administration's table which identifies State ARARs for the Allegany Ballistics Laboratory site.

If you have any questions, please feel free to contact me or Mr. John Fairbank at (410) 631-3440.

Sincerely,

Wendy True Noe  
Remedial Project Manager  
Federal/NPL Superfund Division

WTN:sg

Enclosure

cc: Mr. Tom Bass, WV DEP  
Mr. Bruce Beach, EPA Region III  
Mr. Dave McBride, Allegany Ballistics Laboratory  
Mr. J. Greg Mott, CH2M Hill  
Mr. Lou Williams, NAVSEA  
Mr. Richard W. Collins  
Mr. Robert A. DeMarco

## State of Maryland Applicable or Relevant and Appropriate Requirements for Allegany Ballistics Laboratory

Type	Name	Legal Citation	Classification	Requirement Synopsis	Connection to Site Characteristics or Remedy	Evidence of Enforceability
Location	Endangered and Threatened Fish Species	COMAR 08.02.12	Applicable	Requires action to conserve endangered fish species and the critical habitats they depend on.	Some of the State of Maryland's endangered species and habitats are not included in the Federal Endangerment Species Act.	Promulgated in regulation of the State of Maryland.
Location	Threatened and Endangered Species	COMAR 08.03.08	Applicable (for activities in Maryland)  TBC	Requires action to conserve endangered species and the critical habitats they depend on.	Some of the State of Maryland's endangered species and habitats are not included in the Federal Endangerment Species Act.	Promulgated in regulation of the State of Maryland.
Action	Water Appropriation or Use	COMAR 08.05.02	Applicable (for wells drilled in Maryland)  TBC	Mechanism of maintaining a current database of wells and groundwater use in Maryland.	Groundwater monitoring wells are needed for and to assess groundwater treatment.	Promulgated in regulation of the State of Maryland.
Action/ Location	Construction on Nontidal Waters and Floodplains	COMAR 08.05.03	Applicable (for Potomac River)	Alterations to waterways and/or floodplains in the State of Maryland must follow these regulations.	Any remedial actions involving alterations to the Potomac River or floodplains (including temporary construction) are subject to these requirements.	Promulgated in regulation of the State of Maryland.

Type	Name	Legal Citation	Classification	Requirement Synopsis	Connection to Site Characteristics or Remedy	Evidence of Enforceability
Location	Nontidal Wetlands  Wetland Regulations	COMAR 08.05.04  08.05.07	TBC	Serves to protect non-tidal wetlands of the State of Maryland from dredging, filling, removing, or otherwise being altered.	Wetlands in Maryland must be protected.	Promulgated in regulation of the State of Maryland.
Action	Hearing Procedures for Waterway Obstruction, Waterway Construction, and Water Appropriation and Use Permits	COMAR 08.05.06	Applicable	Provides requirements for public information/notification of the use of State of Maryland water resources.	Construction on or use of the Potomac River or other Maryland waterways are subject to these regulations.	Promulgated in regulation of the State of Maryland.
Action	Consumptive Use of Surface Water in the Potomac River Basin	COMAR 08.05.09	Applicable	Provides regulations for consumptive use of surface waters, including permit requirements.	Consumptive use of water from the Potomac River is subject to these regulations.	Promulgated in regulation of the State of Maryland.
Action	Control of Noise Pollution	COMAR 26.02.03	TBC	Provides limits on the levels of noise, protective of the health, welfare, & property of the people in the State of Maryland.	During site remediation work, maximum allowable noise levels should not be exceeded at the site boundaries.	Promulgated in regulation of the State of Maryland.

Type	Name	Legal Citation	Classification	Requirement Synopsis	Connection to Site Characteristics or Remedy	Evidence of Enforceability
Action	Well Construction	COMAR 26.04.04	Relevant and Appropriate (for wells installed in Maryland)  TBC	Provides specifications for well construction and abandonment. Also serves as a mechanism to provide a statewide (Maryland) database of existing and abandoned wells.	Any wells installed, decommissioned, and/or abandoned in Maryland are subject to these requirements.	Promulgated in regulation of the State of Maryland.
Action/Chemical	Solid Waste Management	COMAR 26.04.07	TBC	These regulations provide proper closure of a landfill that is protective of the health, welfare, & property of the people of the State of Maryland.	Remedial alternatives involving landfill capping are dependent upon these regulations.	Promulgated in regulation of the State of Maryland.
Action	Board of Well Drillers	COMAR 26.05.01	Applicable (for wells drilled in Maryland)	Provides licensing requirements of persons drilling and installing wells.	Assures that monitoring wells are installed by qualified persons.	Promulgated in regulation of the State of Maryland.
Chemical	Water Quality  Discharge Limitations  Permits	COMAR 26.08.02  26.08.03  26.08.04	Applicable	Regulations that protect and maintain the quality of surface water in the State of Maryland. Establishes criteria and standards for discharge limitations and policy for anti-degradation of the State's surface water.	Any contaminated groundwater entering surface water must meet toxic substance water quality criteria. Discharge of treated groundwater must meet State NPDES limits.	Promulgated in regulation of the State of Maryland.

Type	Name	Legal Citation	Classification	Requirement Synopsis	Connection to Site Characteristics or Remedy	Evidence of Enforceability
Action  Action/ Location	Erosion and Sediment Control  Stormwater Management	COMAR 26.09.01  26.09.02	TBC	Any land clearing, grading, other earth disturbances require an erosion and sediment control plan, with some exceptions.	An erosion and sediment control plan must be approved before construction activities begin at the site. Storm water must be managed to prevent off-site sedimentation and maintain current site conditions.	Promulgated in regulation of the State of Maryland.
Action/Chemical	Air Quality	COMAR 26.11	TBC	Provides ambient air quality standards, general emissions standards, and restrictions for air emissions from construction activities, vents, and treatment technologies. Regulations include nuisance and odor control.	Construction activities will emit particulate matter into the ambient air. Remedial activities must follow regulations.	Promulgated in regulation of the State of Maryland.
Chemical	Standards Applicable to Transporters of Hazardous Waste	COMAR 26.13.04	Applicable (for activities in Maryland) TBC	Provides regulations for the transport of hazardous waste.	Any hazardous waste found during site remediation must be disposed of according to regulations. Any residues or by-products from treatment systems which are hazardous must be disposed of properly.	Promulgated in regulation of the State of Maryland.

Type	Name	Legal Citation	Classification	Requirement Synopsis	Connection to Site Characteristics or Remedy	Evidence of Enforceability
Chemical	Annotated Code of Maryland, Environment	Environmental Article Titles 1-13	TBC	This law provides for protection of the environment in the State of Maryland.	Remedial actions in Maryland must follow these laws.	State law.